

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
COLLEEN ROCHE and MILAGROS
GONZALEZ,

Plaintiffs,

-against-

DUANE STREET PARK CORP. and KIO
RESTAURANT, LLC,

Defendants.

ANALISA TORRES, District Judge:

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 6/21/2018

17 Civ. 5866 (AT)

ORDER

The Court is in receipt of the parties' letters of June 19 and 21, 2018. ECF Nos. 44–45. Defendants' request to extend the June 6, 2018 deadline for fact discovery is DENIED as untimely. Additionally, as the parties cannot agree on whether to be referred to a magistrate judge or to the District's Mediation Program for the purposes of settlement, this case shall proceed to trial. The joint pre-trial order is due **August 22, 2018**. The joint pre-trial order and related submissions are to be sent as follows:

In accordance with Paragraph V.B of the Court's Individual Practices in Civil Cases, the parties shall submit a proposed joint pre-trial order to the Court by PDF attachment to an e-mail by **August 22, 2018**.

In accordance with Paragraphs V.C and V.D of the Court's Individual Practices, each party shall file and serve along with the joint pre-trial order all required pre-trial filings, including motions addressing any evidentiary issues or other matters that should be resolved *in limine*, joint requests to charge, joint proposed verdict forms, and joint proposed *voir dire* questions.

In accordance with Paragraph V.C(v) of the Court's Individual Practices, the parties shall deliver to the Court by **August 22, 2018**, one copy of each documentary exhibit sought to be admitted, pre-marked (*i.e.*, labeled with exhibit stickers) and assembled sequentially in a looseleaf binder or in separate manila folders labeled with the exhibit numbers and placed in a suitable container for ready reference.

In accordance with Paragraph V.F of the Court's Individual Practices, by **August 29, 2018**, at **12:00 p.m.**, the parties shall file, if necessary, any objections to another party's requests to charge or proposed *voir dire* questions, any opposition to any motion *in limine*, and any opposition to any legal argument in a pre-trial memorandum.

Counsel for all parties shall appear for a final pre-trial conference on **October 10, 2018**, at **12:00 p.m.**, in Courtroom 15D of the United States Courthouse, 500 Pearl Street, New York, NY 10007.

Trial shall commence at **9:00 a.m.** on **October 24, 2018**. In accordance with Paragraph V.H of the Court's Individual Practices, trial will be conducted from 9:00 a.m. to 2:15 p.m. with a break from 11:15 to 11:45 a.m. During the jury selection and jury deliberation phases, court will be in session from 9:00 a.m. to 5:00 p.m. with a break from 1:00 to 2:00 p.m.

Prior to the final pre-trial conference, counsel for both parties, along with the parties themselves, shall meet in person for at least one hour to discuss settlement of this matter. Additionally, counsel shall submit a joint letter by **July 23, 2018**, informing the Court whether they would like to be referred to a magistrate judge for settlement discussions if, and only if, the parties all agree.

The case management conference scheduled for June 26, 2018 is ADJOURNED *sine die*.

SO ORDERED.

Dated: June 21, 2018
New York, New York



ANALISA TORRES
United States District Judge